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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,220	11/27/2000	Wolfgang Fleischer	228.1006	8087
20583	7590	08/26/2005	EXAMINER	
JONES DAY 222 EAST 41ST ST NEW YORK, NY 10017			KISHORE, GOLLAMUDI S	
			ART UNIT	PAPER NUMBER
			1615	

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER**ART UNIT****PAPER**

20050919

DATE MAILED:

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Commissioner for Patents

The reply filed on 3-2-2005 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): the newly submitted claims 54-78 are directed to an invention that is independent or distinct from the invention originally claimed in that the newly submitted claims are method claims drawn to a method of suppressing undesired tissue formation or for restoring the original appearance of tissue at the site of tissue damage whereas the originally presented claims were drawn to a method of treating infections of the ears, nose or throat. These are different methods. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gollamudi S Kishore, Ph.D whose telephone number is (571) 272-0598. The examiner can normally be reached on 6:30 AM- 4 PM, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thurman K Page can be reached on (571) 272-0602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gollamudi S Kishore, Ph.D
Primary Examiner
Art Unit: 1615